

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 16, 2007**

DIVISION TWO

[illegible]

The judgment is affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Chavez, J.

## DIVISION FOUR

B188770      Aharoni et al.      (Not for Publication)  
v.  
Malibou Lake Mountain Club, Ltd.

As to the fourth and ninth causes of action only, the judgment is reversed, the attorney fee award is vacated as premature, and the cause is remanded for the limited purpose of allowing the plaintiffs to present any additional evidence. In all other respects, the judgment is affirmed. The parties are to bear their own costs and fees on appeal.

Suzukawa, J.

We concur: Epstein, P.J.  
Manella, J.

## DIVISION FOUR (Continued)

B187726 People (Not for Publication)

V.

Demerial A.

The matter is remanded to the juvenile court to determine under Welfare and Institutions Code section 702 whether the assault offense is a felony or misdemeanor and in all other respects the order of wardship is affirmed.

Epstein, P.J.

We concur: Manella, J.  
Suzukawa, J.

B188047 People (Not for Publication)

V.

Anthony P.

The judgment is reversed with respect to the period of confinement for carjacking Armando V.'s car (§ 215, subd. (a)), as alleged in the July 6, 2004, petition, and the matter is remanded to the court for (1) imposition of a stay on the period of confinement for kidnapping a child under 14 years of age (§ 208, subd. (b)) and accompanying enhancement (§ 12022, subd (a)(1)), as alleged in the July 6, 2004 petition, and (2) a redetermination of appellant's maximum term of confinement based on the facts and circumstances of the case. In all other respects, the judgment is affirmed

Manella, J.

We concur: Epstein, P.J.  
Suzukawa, J.

DIVISION FIVE

B195526 People (Not for Publication)

V.  
Aaron Johnson

Appellant's conviction for misdemeanor assault in violation of section 240 is reversed. His \$400 domestic violence fine imposed pursuant to section 1203.97 is ordered stricken. The judgment of conviction is affirmed in all other respects.

Armstrong, J.

We concur:   Turner, P.J.  
                       Monk, J.

B195690 People (Not for Publication)

V.  
Luis Bustamonte

The judgment is affirmed and the trial court is directed to complete the abstract of judgment with respect to Item number 5 so that it accurately reflects defendant's prison sentence.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B191495      Dean Stewart, Jeannie Young      (Not for Publication)

v.  
Mercedes Gamero

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

DIVISION SIX

B193061 People (Not for Publication)

V.

Brown, Harris &amp; Jones

The trial court is directed to correct the July 19, 2006 minute order and to amend the abstracts of judgment in accordance with this opinion, and to forward certified copies of the amended abstracts of judgment to the Department of Corrections. As to appellant Brown, the unstayed aggregated term of imprisonment is 29 years. As to appellant Jones, the unstayed aggregate term of imprisonment is 8 years. As to appellant Harris, the unstayed aggregate term of imprisonment is 22 years and 4 months. As modified, the judgments are affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Perren, J.

196203      In re.:      (Not for Publication)

Isaac G. &amp; Analeey A.G.

The judgment (order terminating parental rights) is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.

Perren, J.

## DIVISION SIX (continued)

[illegible]

The judgment is affirmed.

Gilbert, P. J.

We concur: Yegan,.J.  
Coffee, J.

B191878 People v. Haber (Not for Publication)

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The trial court is directed to modify the abstract of judgment to remove the 15 percent limitation on conduct credit, and to reflect 249 days of actual credit and 118 days of conduct credits, for a total of 367 days credit as of June 26, 2006. The judgment is otherwise affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B195648 People (Not for Publication)  
v.  
Perez

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

DIVISION SIX, (continued)

B192424      People      (Not for Publication)  
v.  
Baquedano

Baquedano's sentence for the gang enhancement is reduced from five to four years. In all other respects we affirm.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

B194935 People (Not for Publication)  
v.  
Romo

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B187795	Fitz-Gerald, et al., v. Skywest Airlines, Inc.,
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Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION SEVEN

B191066 Paul (Not for Publication)  
v.  
Clinton et al.,

The orders granting Senator Clinton and Clinton for Senate's motion to strike and denying Paul's motion for leave to depose Senator Clinton are affirmed. Senator Clinton and Clinton for Senate are to recover their costs on appeal.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.

B193173      Chiba      (Certified for Publication)  
v.  
Greenwald

The order is affirmed. Greenwald is awarded her costs on appeal.

Zelon, J.

I concur: Woods, J.  
I dissent: Johnson, Acting P.J. (opinion)

B190439      Khan et al.,      (Not for Publication)  
v.  
City of Long Beach

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

I concur: Perluss, P.J.  
I dissent: Woods, J. (opinion)

## DIVISION SEVEN (continued)

B192150 People (Not for Publication)  
v.  
Chisom

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

[illegible]

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

B193730      People                      (Not for Publication)  
v.  
Johnson

The judgment is affirmed.

Perluss, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B192640      Jafari  
v.  
EMC Insurance Companies et al.

Filed order denying petition for rehearing.



DIVISION SEVEN (continued)

B174223     People  
              v.  
              Allen

Filed order denying petition for rehearing.

DIVISION EIGHT

B189961     Doty et al.,                                 (Not for Publication)  
              v.  
              Meruelo et al.,

The judgment against the sellers is reversed, and the trial court is directed to proceed upon remand in conformance with this opinion. The order of dismissal is affirmed. The sellers are to recover their costs on appeal.

Flier, J.

We concur:   Cooper, P.J.  
                  Rubin, J.

B168064     People     (Not for Publication)  
              v.  
              Castro

The judgment is reversed as to the sentence only, and the matter remanded to the trial court to conduct a new sentence hearing. In all other respects, the judgment is affirmed.

Rubin, Acting P.J.

I concur:     Flier, J.

DIVISION EIGHT (continued)

B192935      M.A. Butters & Associates,                      (Not for Publication)  
                         v.  
                         City Of Lancaster

The judgment (order) is affirmed to the extent it awards \$510,597.50 in attorney's fees to F. Glenn Nichols, Esq., and \$9,152.50 in attorney fees to Ronald E. White, Esq. The case is remanded with directions to enter a new judgment (order) that awards F. Glenn Nichols, Esq., the additional sum of \$37,030. Butters is to recover its costs on appeal.

Flier, J.

We concur:    Cooper, P.J.  
                         Rubin, J.